

Message Text

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44

ORIGIN L-03

INFO OCT-01 IO-14 ISO-00 CPR-02 NEA-10 CIAE-00 DODE-00

PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01

SPC-03 SS-20 USIA-15 ACDA-19 SY-10 SCA-01 /134 R

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R 262329Z OCT 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 212302

E.O. 11652: N/A

TAGS: UNGA, PINS, CGEN

SUBJECT: PRIVILEGES AND IMMUNITIES PROBLEM AND CONVENTION
ON PROTECTION OF DIPLOMATS

REF: (A) USUN 4035; (B) STATE A-243, JULY 15, 1968

IF NO OBJECTION PERCEIVED, MISSION SHOULD, IN CONNECTION
WITH REF A, INFORM UAE MISSION THAT IF THEY DESIRE TO HAVE
HAMMAD ACCORDED PRIVILEGES AND IMMUNITIES, THEY SHOULD RE-
SUBMIT SUCH REQUEST TO USUN, AND THAT IT WILL BE CONSIDERED
BY DEPARTMENT. FYI. DEPARTMENT IS PREPARED TO DETERMINE
HAMMAD CASE FAVORABLY, ASSUMING HE MEETS CRITERIA OTHER
THAN THAT OF NATIONALITY. IN VIEW OF (1) ELEMENT OF FLEXI-
BILITY THAT HAS BEEN INTRODUCED IN U.S. BILATERAL DIPLOMATIC
RELATIONS IN WASHINGTON SINCE U.S. RATIFICATION OF VIENNA
DIPLOMATIC CONVENTION IN 1972, I.E., ARTICLE 8; AND (2)
DISTINGUISHING CIRCUMSTANCES OBTAINING IN NEW YORK WHERE UN
-- NOT THE U.S. -- IS THE RECEIVING STATE THEREBY WARRANT-
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ING EVEN GREATER FLEXIBILITY WITH RESPECT TO THE NATIONALITY

CRITERION, DEPARTMENT IS MODIFYING ESTABLISHED POLICY WITH
RESPECT TO CRITERION NO. 4 IN REF B- CRITERION NO. 4, "THAT
HE BE A NATIONAL OF THE APPOINTING COUNTRY", SHOULD BE
CHANGED TO READ "THAT IN PRINCIPLE HE BE A NATIONAL OF THE
APPOINTING COUNTRY. HOWEVER, A THIRD COUNTRY NATIONAL WILL
BE CONSIDERED BY DEPARTMENT WHERE SPECIAL CIRCUMSTANCES
WARRANT, SUCH AS CASE OF NEW STATE WITH LIMITED NATIONAL
CADRE OF SUFFICIENTLY TRAINED DIPLOMATIC PERSONNEL TO PRO-

VIDE ADEQUATE REPRESENTATION." END FYI. KISSINGER

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Message Attributes

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Disposition Authority: morefirh
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Disposition History: n/a
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Drafter: JWWILLIS:JNP
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30 JUN 2005

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